

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GOVERNMENT EMPLOYEES INSURANCE
COMPANY, *et al.*,

Plaintiffs,

- against -

VILLAGE MEDICAL SUPPLY, INC., *et al.*,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

ORDER ADOPTING REPORT
AND RECOMMENDATION
11-CV-2863 (RRM) (JO)

By motion filed on February 24, 2012 (Doc. Nos. 34–37), plaintiffs moved for default judgment. By Order entered on February 28, 2012, the Court referred that motion to the assigned Magistrate Judge, the Honorable James Orenstein, for a Report and Recommendation. On February 28, 2014, Judge Orenstein issued the Report and Recommendation (“the R&R”) (Doc. No. 100), recommending that default judgment be entered against defendants and awarding plaintiffs monetary and declaratory relief.

Judge Orenstein ordered plaintiffs to serve each defendant with a copy of the R&R by no later than March 3, 2014, and reminded the parties that, pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, any objection to the R&R was due within fourteen days of its receipt – that is, by March 17, 2014. On March 3, 2014, plaintiffs served the R&R on each defendant by mail and filed proof of service that same day. (Doc. No. 101.) To date, no party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with it. *See, e.g., Covey v. Simonton*, F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED that the

R&R is adopted in its entirety.

As such, this Court hereby Orders the Clerk of Court to enter a Default Judgment in favor of plaintiffs Government Employees Insurance Co., Geico Indemnity Co., Geico General Insurance Company, and Geico Casualty Co., against defendants Village Medical Supply, Inc. (“Village”), Albert Babadzhanov, Grigol Supply, Inc., and Grigol Apresyantsi, jointly and severally, in the total amount of \$34,973.51 (consisting of \$26,424.83 in damages and \$8,548.68 in pre-judgment interest through and including March 18, 2014).

The Court further Orders the Clerk of Court to enter a Declaratory Judgment that plaintiffs Government Employees Insurance Co., Geico Indemnity Co., Geico General Insurance Company, and Geico Casualty Co. are not obligated to pay the outstanding claims submitted against it by defendant Village Medical Supply, Inc.

Upon entering judgment, the Clerk of Court is directed to close the case.

SO ORDERED

Dated: Brooklyn, New York
March 18, 2014

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge